

Group III, claims 49-57 and 58-62, characterized by the Examiner as drawn to method and product that structures and restructures a security.

The Examiner specified that all Groups belong to the same class and that groups II and II belong to the same subclass.

In accordance with MPEP § 818.03(b), the Applicant provisionally elects, with traverse, to prosecute Group I, claims 7-10, 27-30, and 45-48.

Applicant traverses the restriction requirement. According to MPEP § 803, to issue a proper restriction requirement, the Examiner must demonstrate a serious burden to search and examine all the claims together and that the alleged inventions are either independent or distinct. Applicant submits that the Examiner has not demonstrated a serious burden to search and examine all the claims together.

First, the lack of burden is clearly evidenced by the three previous office actions for this application, in which the Examiner has already searched and examined all the claims together.

Furthermore, although classification of the claim groups into different classes and subclasses is a prima facie demonstration of serious burden, in this case the Examiner has classified all the claim Groups in the same class, namely class 705, and has classified two of the Groups into the same subclass, namely subclass 36. In the office action, the Examiner gives no explanation as to why it is a serious burden to search a single class and two subclasses for similar systems, methods, and computer program products related to structuring securities. Instead, the Examiner merely offers a conclusory statement that the inventions require separate searches.

In view of the foregoing remarks, Applicant respectfully requests withdrawal of the restriction requirement, examination of this application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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